

## TRUSTEE'S SALE.

WHEREAS, the party of the first part in a deed of trust hereinafter described, has defaulted by failing to keep the taxes paid, the property insured, the buildings, structures, improvements, machinery, or appliances in good repair, working order and condition and by failing to keep the mine mentioned in said deed of trust free from water; as therein provided, AND WHEREAS, further default has been made in the payment of principal and interest secured by note described in said deed of trust which was executed by Fred A. Sears, a single man, the 23rd day of October, 1916, and filed for record on the 26th day of October, 1916, in the office of the Recorder of Deeds, Lafayette County, Missouri, in Book Number 221 at Page 494, conveying to H. C. Waltner trustee therein named all his rights, interest, easements and titles in and to the following described property and improvements thereon in the County of Lafayette, State of Missouri, to-wit:

A part of Section 17, in Township 50, of Range 28, bounded as follows: to-wit: Beginning at a stone in the Wellington and Waterloo road said stone being 407 1/2 links north and (with a magnetic variation of 5 degrees and 30 min. east) south 84 degrees east 225 links from the corner to section 17, 18, 19, and 20, thence north 11 degrees east 13.20 chains to a stake in the southern line of the right-of-way of the Missouri Pacific Railway Co., thence with said line North 55 degrees east 8.80 chains to a stake thence South 11 degrees west 18.90 chains to a stake in said Wellington and Waterloo road, thence with said road north 84 degrees west 6.25 chains to the place of beginning, containing ten acres, more or less; also a part of section 18, in said township and range, bounded and described as follows: Beginning at a stake in said Wellington and Waterloo road, said stake at a point 407 1/2 links north 83 degrees west 982 1/2 links (variation as aforesaid) from the corner to said sections 17, 18, 19, and 20, thence west with said road 100 feet to a stake, thence north 24 1/2 feet to a stake 20 feet from the southern line of the right-of-way of the Missouri Pacific Railway Co., and thence in an easterly direction parallel with said right-of-way, and 20 feet distant therefrom to a stake due north of the beginning point, thence south 277 feet to the place of beginning, and containing fifty-eight hundredths of an acre, more or less; together with all buildings, constructions, shafts and other improvements thereon and all the machinery, apparatus, implements and tools of every kind, nature and description belonging to said first party and now upon and about said premises, being the entire equipment used by said first party in its coal mining business carried on upon said tracts of land; also all the coal remaining unmined in and under the following other tracts of land situated and lying in said Lafayette County, Missouri, to-wit: The northwest quarter of the northwest quarter of section 20, the northeast quarter of the northeast quarter of section 19, except one acre on the northwest corner; the east half of the southeast quarter of section 18, and sixty acres off the south side of the west half of the southwest quarter of section 17, all in said township and range, it being understood that the foregoing two tracts conveyed in fee simple are comprised in said last tracks, the coal under which is conveyed, with the full and exclusive right to mine and remove the coal from said lands at any and all times, also the right-of-way along the seams and veins of coal and drifts made in mining and removing said coal to construct, operate and maintain all roads, tramways, trucks, switches and ways necessary and convenient for the proper mining and removal of such coal, as well as the coal from any neighboring lands conveyed in this deed or that may hereafter be acquired by the second party, his heirs or assigns; also the right-of-way twenty feet in width on the surface of said lands for the coal switch now on said lands and extending to the southern boundary of said land by the most convenient route, with the right to use the right-of-way used and occupied by the said present coal switch and its extension, if any, so long as the coal mining operations contemplated under this deed shall continue; also the right to use, for dumping the rock, dirt, slate and other debris from said mines and mining operations upon a tract of land 500 feet in length east and west and 126 feet in width north and south adjoining the mouth of the main coal shaft and north of the coal switch and also north of the said Missouri Pacific Railway; Also all the beds, seams and veins of coal in and under the following other tracts of land situated in said Lafayette County, Missouri, to-wit: The east half of the northwest quarter of the southwest quarter of section 20 in said township and range, with the exclusive right to mine, excavate and remove said coal at any and all times, with the right to sink, construct, operate and maintain air-shafts up to and from such air-shafts for men, animals and vehicles, but no air-shaft shall be sunk in any of the cultivated or cultivating land of the cultivated or cultivating land of said tract, also the right-of-way beneath the surface of said land and the seams and veins of coal and the drifts made in mining the same to construct, operate and maintain all roads, tramways, tracks, switches and ways necessary for the proper mining of the coal from said lands as well as the coal from neighboring lands conveyed in this deed or

that may be hereafter acquired by the second party, his heirs or assigns; Also all the coal underlying the northeast quarter of the southeast quarter and fifteen acres off the south end of all that part of the southeast quarter of the northeast quarter of section 19, in said township and range, which lies east of the County road; Also all the veins, seams, beds and deposits of coal in and under the north half of the northeast quarter of the northeast quarter of the section 30; thirteen and one-third acres off the west side of the southeast quarter of the southeast quarter of section 19; eighteen acres being the following described tract less ten acres off the north end thereof, commencing at the southeast corner of the southeast quarter of the southeast quarter of said section 19, thence west 53 1-3 poles, thence north 80 poles to the middle of a branch, thence east with the meanders of said branch to its mouth, thence east 12 1/4 poles, thence south 89 poles to the beginning, being a part of the S.E. 1/4 S.E. 1/4 of said section 19, the southwest quarter of the southwest quarter of the southwest quarter of section 20, except 1 1/2 acres in the southeast corner; the west half of the northwest quarter of the southwest quarter, and the northwest quarter of the southwest quarter of said section 20; also ten acres off the north end of the following described part of the S.E. 1/4 S.E. 1/4 of section 19, to-wit: Commencing at the southeast corner of said quarter-quarter, thence west 53 1-3 poles, thence north 80 poles to the middle of a branch, thence east with the meanders of said branch to its mouth, thence east 12 1/4 poles, thence south 80 poles to the beginning, all being in said township 50, of range 28, with the exclusive right to mine, excavate and remove said coal at any and all times, also the right to sink, construct, use, maintain and operate the necessary air-shafts, with the right-of-way on the surface to and from the air-shafts for men, animals and vehicles, but no air-shafts shall be sunk on any of the cultivated or cultivating lands of said tracts, also the right-of-way along the seams and veins of coal and the drifts made in mining said coal to construct, operate and maintain all roads, tramways, tracks, switches, and ways for the mining of such coal and also the proper mining and removal of the coal under neighboring lands conveyed in this deed or that may be hereafter acquired by the said second party, his heirs or assigns; also all the coal in and under all that part and parcel of land situated in the north part of the southeast quarter of the northeast quarter of section 19, in said township and range, immediately north of the land conveyed by Turner Williamson and wife to Charles Braden and east of the County road leading from Waterloo to the Harris School House and containing fifteen acres of land, more or less, with the privilege of a road way for wagons or railroad switch over and across said lands and the right to pass over and along the roads on said land with teams, or otherwise and the right and privilege to mine and take from said lands coal thereon and thereunder, also the right to sink one coal mining shaft and as many air-shafts as it may be necessary for the coal mining operations mentioned in this deed upon the tracts of land second herein before described, being the lands originally owned by Joseph A. Edmonds, with the right-of-way over the surface of said lands to and from said shafts with men, animals and vehicles, to construct, maintain and operate the same and the right to use such additional land, not to exceed one acre in area, around the said mining shaft to be constructed for the necessary topography, weight-houses and other works and constructions necessary to maintain and operate such mining shafts; also the following additional tract of land situated in Lafayette County, Missouri, to-wit: The north half of the northeast quarter of the southwest quarter of section 17, township 50, range 28, saving and excepting the right-of-way of the Missouri Pacific Railroad Co., over said tract of land; also all the beds, bodies, seams and parcels of coal remaining unmined under the following other tracts of land situated in said Lafayette County, Missouri, to-wit: The south half of the northeast quarter of the southwest quarter of the southeast quarter of the southwest quarter of said section 17, and the northeast quarter of the northwest quarter of section 20, all in said township and range, with the full and exclusive right at any and all times to dig, mine, excavate and remove said coal from said lands, and the right-of-way under said lands along the seams and veins of coal and along the drifts and tunnels made in mining and removing said coal to construct, maintain, repair, operate and remove any and all tracks, roads, tramways, switches, turnouts and other constructions that may be necessary or convenient for the mining and removing of said coal as well as any other coal conveyed in this deed or which the second party may hereafter acquire under other lands, accessible from this land, also the right to construct, maintain, operate and repair any and all air-shafts that may be necessary for the ventilation of the mines and mining operations aforesaid, with the right-of-way on the surface of said lands for ingress to and egress from such air-shafts for the construction, operation, maintenance and repair thereof; also the right-of-way for a wagon road from the County road on the bluff northward to the mine sight on the N. 1/4 N.E. 1/4 S.W. 1/4 of section 17, and the right on S. 1/4 N.E. 1/4 S.W. 1/4 of section 17, to construct, use, maintain, repair and remove all kinds of buildings and structures, excepting residences that may from time to time be necessary or convenient for the successful or economical operation of the mines on the lands adjoining, all subject however, to the right-of-way of the Missouri Pacific Railway Company over said lands; also all the beds, veins, seams, bodies and deposits of coal in and under the following other tracts of land situated in said County: The northwest quarter of the southeast quarter and

twenty-five acres off the north end of the southwest quarter of the southeast quarter of said section 17, in said township and range, with the full right to mine, dig, excavate and remove such coal from said lands by drifts, shafts or other convenient means, with the right-of-way under said lands along said drifts and excavations for the purpose of constructing roads and tramways for the convenient removal of such coal from said mines, as well as any other coal which the second party may own under this deed or he, his heirs or assigns, may purchase or acquire, near or convenient to said land, with the right to use any part of the surface of said lands anywhere on the bottom land or on the bluffs, except the plateau south of the bluffs (on which plateau necessary roads and air-shafts may be maintained) for mining houses and structures, shafts, dumping ground, miners' houses, wagon roads, tramways, railroad switches and all other structures and erections necessary and convenient for the proper and economical mining and removal of all such coal as may be mined and taken from said lands, as well as from any adjoining or neighboring lands as are herein conveyed or hereafter may be purchased by said second party, his heirs or assigns, together with the right of removal at any and all times of such constructions, improvements or structures as may be placed on or under said lands by virtue hereof; also all the beds, seams, veins, and deposits of coal in and under the south half of the northwest quarter of section 20, in said township and range; also all the beds, bodies, veins, and deposits of coal in and under the following other tracts of land, to-wit: Fifteen acres off the south side of the southwest quarter of the southeast quarter of section 17, forty-eight acres off the north end of the west half of the northeast quarter of said section 20, and twelve acres off the north end of a strip of twenty acres off the west side of the east half of the northeast quarter of said section 20, in said township and range, with the full right to mine, dig, excavate, remove and sell said coal from said land by drifts, shafts or other convenient means, with the right-of-way under said land, along side drifts and excavations, for the purpose of constructing roads and tramways for the convenient removal of said coal, as well as any other coal herein conveyed or which the second party, his heirs or assigns, may purchase or acquire near and convenient to the lands aforesaid, and the right to sink, construct and maintain such air-shafts as may be necessary for the convenient and economical mining operations provided for and contemplated in this deed, with the right-of-way over and along the surface of said land to properly build construct, maintain, repair and remove such air-shafts.

It is understood that coal has been mined from under said lands for a number of years and this conveyance is to convey the coal that now remains unmined.

This conveyance is also made subject to the rights, franchises and easements conveyed by Joseph A. Edmonds, former owner of the lands described, to the Missouri Pacific Railway Company, by deeds recorded in the recorder's office for Lafayette County, Missouri, in Book 52, at page 173, and Book 169, page 158.

There is also excepted from the operation of this deed the coal under one or more small parcels of land in or about the town of Wellington sold by said Joseph A. Edmonds before he conveyed said coal under the land comprising said town to the grantor of the first party.

AND WHEREAS, Said trustee being absent from Lafayette County, Missouri, when the advertisement and sale are made hereunder and on account of his refusal to act as said trustee;

Now in accordance with the terms and conditions of said note and deed of trust, and the legal holder and owner of said note and deed of trust having declared the whole debt due as secured thereby, I will, at the request of said legal holder and owner,

MONDAY, FEBRUARY 27, 1922, between the hours of 9 A. M. and 5 P. M. of said day, sell the above described property to the highest bidder for cash at the Court House door in the City of Lexington, County of Lafayette, State of Missouri, for the purpose of satisfying said debt and costs.

J. L. FORSHA, Sheriff and Substitute Trustee. A. W. Edwards, Attorney. Feb. 3, 1922.

SHERIFF'S SALE IN PARTITION STATE OF MISSOURI, COUNTY OF LAFAYETTE—ss.

In the Circuit Court of Lafayette County, Missouri, February term, 1922, at Lexington.

Leslie Bartlett, Grace Hishop, Dewitt C. Hackley, Bettie H. Hackley, Jodie Hackley, Bird Hackley, Mattie Hackley, Lucy Beamer, Edward Hackley, and Hugh Hackley, Plaintiffs, vs. John Hackley, May Whittington, Maud Gentry, Ione Dyer, Floyd Smitherman, Earl Smitherman, John Smitherman, Fred Smitherman, Percival Smitherman, William Smitherman, Samuel Hackley, James Hackley, John Hackley, Joseph Hackley, Fannie Campbell and Virginia Lee Lake, Defendants.

By virtue and authority of a decree and order of sale, in partition made at the October term 1921, of the Circuit Court of Lafayette County, Missouri, in the above entitled cause, a certified copy of which was issued from the office of the Clerk of the Circuit Court, on the 5th day of November 1921, and to me delivered, I, J. L. Forsha, Sheriff of Lafayette County, Missouri, will on

estate situate, lying and being in Lafayette County, Missouri, to-wit: Lot Numbered five in Block "C" in the Original Town of Corder, Lafayette County, Missouri.

Given under my hand this 23rd day of January, 1922.

J. L. FORSHA, Sheriff of Lafayette County, Mo. January 27, 1922.

## GUARDIAN'S NOTICE OF

Notice is hereby given, that a certificate of appointment as guardian of the person and estate of William H. Hackler, a person of unsound mind, has been granted to the undersigned by the Probate Court of Lafayette County, Missouri, bearing date the 23rd day of January, 1922.

All persons having claims against said estate are required to exhibit them to the undersigned guardian for allowance within one year from the date of granting said certificate, or they may be precluded from any benefit of said estate; and if said claims be not exhibited within one year from the date of granting said certificate of appointment, they will be forever barred.

Witness my signature on this 23rd day of January, 1922.

MARY A. HACKLER, Guardian. Attested by Stephen N. Wilson Judge of Probate for Lafayette County, Missouri. (SEAL) Jan. 27, 1922.

## EXECUTORS NOTICE.

Notice is hereby given, that Letters Testamentary on the estate of Sarah M. Hendrix deceased, were granted to the undersigned on the 21st day of January, 1922, by the Probate Court of Lafayette County, Missouri. All persons having claims against said estate are required to exhibit them for allowance to the undersigned within six months after the date of granting said letters, or they may be precluded from any benefit of said estate; and if such claims be not exhibited within one year from the date of granting said letters, they will be forever barred.

Witness my signature on this 21st day of January, 1922.

JACKSON BRADLEY, Executor. Attested by Stephen N. Wilson Judge of Probate for Lafayette County, Missouri. (SEAL) Jan. 27, 1922.

## ADMINISTRATRIX'S NOTICE.

Notice is hereby given, that Letters of Administration on the estate of J. H. Lauck deceased, were granted to the undersigned on the 3rd day of February, 1922, by the Probate Court of Lafayette County, Missouri. All persons having claims against said estate are required to exhibit them for allowance to the undersigned within six months after the date of granting said letters, or they may be precluded from any benefit of said estate; and if such claims be not exhibited within one year from the date of granting said letters, they will be forever barred.

Witness my signature on this 3rd day of February, 1922.

SARAH ELIZABETH LAUCK, Administratrix. Attested by Elizabeth N. Wilson Clerk of Probate Court for Lafayette County, Missouri. (SEAL) Feb. 3, 1922.

## A Tonic For Women

"I was hardly able to drag, I was so weakened," writes Mrs. W. F. Ray, of Easley, S. C. "The doctor treated me for about two months, still I didn't get any better. I had a large family and felt I surely must do something to enable me to take care of my little ones. I had heard of

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There are people who never have a movement of the bowels without it is produced by a cathartic. Most of them have brought that condition on themselves by the use of mineral waters and strong cathartics that take too much water out of the system and aggravate the disease they are meant to relieve. A mild laxative tonic like Chamberlain's Tablets affords a gentle movement of the bowels that you hardly realize has been produced by a medicine, and their use is not so likely to be followed by constipation. Adv.

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FOR RENT: A five room flat close in. Apply to Mrs. D. E. Collard. 2-15-tf.

FOR SALE: 10 room house of Mrs. E. L. Moreton, 1007 High land Avenue. For further particulars call A. Winkler. 1-24-1mo

LOST: Alligator traveling bag, between Lexington passenger depot and Dover road, Friday night. Leave at this office and receive reward.

WANT to hear from owner having farm for sale; give particulars and lowest price. John J. Black, Missouri Street, Chipewa Falls, Wisconsin.

WANTED: Man with car to sell low priced GRAHAM TIRES. \$130.00 per week and commissions. GRAHAM TIRE Co., 2124 Boulevard, Benton Harbor, Mich.

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